
TO: GENERAL COMMITTEE

SUBJECT: DELEGATED AUTHORITY RELATED TO ROAD WIDENINGS ALONG THE METROLINX/GO TRANSIT RAIL LINE

WARD: ALL

PREPARED BY AND KEY CONTACT: D. MCALPINE, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES, EXT. #4421

SUBMITTED BY: D. MCALPINE, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES

GENERAL MANAGER APPROVAL: P. ELLIOTT-SPENCER, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

CHIEF ADMINISTRATIVE OFFICER APPROVAL: C. LADD, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That as the sole shareholder in the Allandale Community Development Corporation, The Corporation of the City of Barrie delegates to the City Clerk, the authority to approve and release any Notices of First Right of Refusal/First Right of Refusal associated with individual parcels of land required for the widening of municipal or County roads along the Metrolinx/GO Transit rail line, the form and content to be to the satisfaction of the Director of Legal Services.

PURPOSE & BACKGROUND

2. De-regulation in 1996, permitted the Canadian National Railway and Canadian Pacific Railway to abandon rail service to remote and small volume communities across Canada. To facilitate the acquisition of the abandoned rail lands and to promote community economic growth and improvement, the City of Barrie created the Allandale Community Development Corporation (ACDC) to purchase and hold title to:
 - the rail line between Bradford and Utopia;
 - the former CN Station lands in Allandale; and
 - the rail lands around Kempenfelt Bay in Barrie
3. In 2007, an agreement was reached between the Province of Ontario, the Greater Toronto Transit Authority, the City of Barrie and ACDC for the return of passenger rail service. As part of the return of passenger rail service, ACDC transferred the numerous parcels of land forming the rail line between Bradford and Barrie to the Greater Toronto Transit Authority (now known as Metrolinx). The Agreement of Purchase and Sale included a Right of First Refusal to permit ACDC to repurchase the lands should Metrolinx no longer require the property, subject to specific conditions.
4. The purpose of the Right of First Refusal was to provide ACDC and the City with the opportunity to repurchase the rail line should passenger rail service along the Barrie to Bradford corridor be abandoned. As the rail line was composed of numerous individual parcels of land, this Right of First Refusal was registered on each of the parcels.

ANALYSIS

5. One of the parcels of land forming the rail line was set aside and not transferred to Metrolinx as it was known the County of Simcoe would require a road widening in the future to widen Innisfil Beach Road. The parcel was subsequently transferred to the County of Simcoe for the road widening purposes.
6. Metrolinx has entered into a Land Exchange Agreement with the County of Simcoe that involves the exchange of lands between the two parties to facilitate the widening of Innisfil Beach Road and GO Transit works. Metrolinx is requesting that ACDC approve and release the Notice of First Right of Refusal to allow for the land exchange to proceed. There isn't any danger that the transfer of this individual parcel will result in the abandonment of passenger rail service.
7. It is anticipated that there may be future road widenings along the GO Transit rail corridor that may require transfers of parcels between Metrolinx and either the County of Simcoe or one of the municipalities. As a result, it is being recommended that the City Clerk be delegated the authority to approve and release any Notices of First Right of Refusal/First Right of Refusal associated with road widenings along the Metrolinx/GO Transit rail line. This will avoid the requirement for individual staff reports every time a road widening project along the GO Transit rail line is undertaken.

ENVIRONMENTAL MATTERS

8. There are no environmental matters related to the recommended motion.

ALTERNATIVES

9. The following alternatives are available for consideration by General Committee:

Alternative #1

General Committee could recommend approval and release the specific Notice of First Right of Refusal for the Innisfil Beach Road road allowance only.

Although this alternative is available, it would require a separate staff report to be presented each time a road along the Metrolinx/GO Transit line required widening.

Alternative #2

General Committee could recommend that the approval and release of the Notice of First Right of Refusal not be granted.

This alternative is not recommended. There would be no benefit to the City of Barrie or ACDC in acquiring this particular road allowance.

FINANCIAL

10. There are no direct financial implications for the Corporation resulting from the recommended motion.

LINKAGE TO 2014-2018 STRATEGIC PLAN

11. The recommendation(s) included in this Staff Report are not directly related to the goals identified in the 2014-2018 Strategic Plan.